IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Criminal Application No.1384 of 2006

Sou. Suvarna Sanjay Badwar — Applicant
Vs.
Mahadeo Estate Developers Pvt.Ltd.
and anr. — Respondents

Mr.Girish Godbole for applicant.
Mr.D.P.Adsule, APP for State.

CORAM: B.H.MARLAPALLE, J.

August 9, 2007.

P.C.

. Heard Mr.Godbole, the learned counsel for the applicant. Perused the reasoning set out in the impugned order dated 31/1/2006 passed by the learned Judicial Magistrate First Class at Nashik in Summary Criminal Case No.1236 of 2002. The complaint has been dismissed only on the ground that the Bank memo (Exhibit 16) did not indicate that it was presented for encashment by the Bank.

. Hence leave to appeal is hereby granted.

. Appeal is admitted.

. Call for R. & P.

. Respondent no.1 waives service.

. Action under Section 390 of Cr.P.C. to be taken by the trial Court.

. Hearing of the appeal is expedited.

(B.H.MARL